

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

**DEBORAH A. HARTWELL**  
**Plaintiff**

**VS.**

**FAY SERVICING, LLC**  
**Defendant**

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**C.A. NO. 4:17-CV-00561**

**STIPULATION OF DISMISSAL**

Plaintiff Deborah A. Hartwell (“Plaintiff”) hereby files this Stipulation of Dismissal Without Prejudice pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, and would respectfully show unto the Court as follows:

1. Plaintiff filed this lawsuit against Fay Servicing, LLC (“**Fay**” or “**Defendant**”) in State Court on or about June 30, 2017. Defendant removed the matter to this Court on August 10, 2017 based on Federal Question Jurisdiction.

2. Plaintiff wishes to dismiss all claims against Defendant without prejudice.

3. In conformity with Rule 41(a)(1)(A)(ii), this Stipulation is signed by all parties who have appeared in the action.

4. By this Stipulation, it is hereby stipulated that all claims and causes of action brought by the parties against each other, are dismissed without prejudice to re-filing same or any part thereof.

5. Plaintiff and Defendant further stipulate that all costs of court, attorney’s fees and other costs incurred are to be borne by the party incurring the same.

WHEREFORE, PREMISES CONSIDERED, all claims and causes of action brought by Plaintiff against Defendant are dismissed without prejudice by stipulation of all parties.

Respectfully submitted,

/s/ D. Kimberli Wallace

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**ATTORNEY-IN-CHARGE FOR PLAINTIFF**

By: /s/ Michael F. Hord Jr.

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**ATTORNEYS-IN-CHARGE FOR DEFENDANT**

**CERTIFICATE OF SERVICE**

On this 15<sup>th</sup> day of September 2017, I hereby certify that a true and correct copy of the foregoing document was forwarded as follows:

Michael F. Hord Jr.  
Hirsch and Westheimer, P.C.  
1415 Louisiana, 36<sup>th</sup> Floor  
Houston, Texas 77002  
**Via ECF**

/s/ D. Kimberli Wallace  
D. Kimberli Wallace